

First Reading: _____
Second Reading: _____

2016-094
Asa Engineering
c/o Allen Jones/Brian Sullivan
District No. 4
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO AMEND CONDITION REQUEST OF ORDINANCE NO. 12885 OF PREVIOUS CASE NO. 2014-0121 ON PROPERTY LOCATED AT 7407 IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to amend condition request of Ordinance No. 12885 of previous case No. 2014-0121 on property located at 7407 Igou Gap Road, more particularly described herein:

Lot 2 of the Suntrust Subdivision, Plat Book 71, Page 188, ROHC, being the property described in Deed Book 10585, Page 610, ROHC. Tax Map No. 149P-A-014.

and as shown on the maps attached hereto and made a part hereof by reference.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved by reducing the type "B" buffer along Denton Road to ten (10') feet.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two
(2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

/mem

2016-094 City of Chattanooga
June 13, 2016

RESOLUTION

WHEREAS, Asa Engineering c/o Allen Jones/Brian Sullivan petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga Amending Condition Request of Ordinance No. 12885 of Previous Case No. 2014-0121 on property at 7407 Igou Gap Road.

Lot 2 of the Suntrust Subdivision, Plat Book 71, Page 188, ROHC, being the property described in Deed Book 10585, Page 610, ROHC. Tax Map No. 149P-A-014 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 13, 2016,

AND WHEREAS, the Planning Commission heard and considered all statements regarding the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development,

AND WHEREAS, the Planning Commission has determined that the proposal is compatible with the development form of the area.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on June 13, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, reducing the type "B" buffer along Denton Road to ten feet (10').

Respectfully submitted,



John Bridger
Secretary

LIFT/AMEND CONDITIONS APPLICATION FORM

CASE NUMBER:	2016-094	Date Submitted: 4-25-2016	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Conditions	Description: (Amend Condition #1) 20' Landscape Buffer to a 10' Buffer		
	Resolution/Ordinance Number: #12885		
	Previous Case Number: 2014-121		
2 Property Information			
Property Address:	7407 Igou Gap Road		
Property Tax Map Number(s):	149P-A-014		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Due to high parking demands for existing tenants, additional parking is needed in order to secure additional tenants. Additional parking can be picked up while keeping a quality 10' buffer		
4 Site Characteristics			
Current Zoning:	C-2		
Current Use:	Commercial		
Adjacent Uses:	R-1, R-4, & C-2		
5 Applicant Information			
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.			
Name: Asa Engineering/Allen Jones		Address: 109 East Martin King Boulevard	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37402	Email: ajones@asaengineeringinc.com
Phone 1: 423-805-3700	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Brian Sullivan		Phone: 404-475-9000	
Address: 4151 Ashford Dunwoody Road, Suite 155, Atlanta, GA 30319			
Office Use Only:			
Planning District: 11		Neighborhood: CNAC, BEBC	
Hamilton Co. Comm. District: 8		Chatt. Council District: 4	Other Municipality:
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
Checklist			
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions	
<input checked="" type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered: 1.2	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 10585-610			
Plat Book/Page: 71-188		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2
<input checked="" type="checkbox"/> Filing Fee: 150.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 002009
Planning Commission meeting date: 6-13-2016		Application processed by: Marcia Parker	

PLANNING COMMISSION CASE REPORT

Case Number: 2016-094

PC Meeting Date: 06-13-16

Applicant Request

Amend Condition #1 in Ordinance Number #12885

Property Location:	7407 Igou Gap Road
Property Owner:	Brian Sullivan
Applicant:	ASA Engineering/Allen Jones

Project Description

- Proposal: Amend landscape condition to allow for the expansion of parking lot into current landscape buffer area. Condition 1 currently reads, "Require a 20' type "B" buffer along Denton Road north of curb cut along Denton Road." The applicant would like to reduce this to a 10' buffer for adding additional parking spaces.

Site Analysis

Site Description

- Location: The site is located on the north side of Igou Gap Road at the Igou Gap Road and Denton Lane intersection near Gunbarrel Road.
- Current Access: Access from Igou Gap Road and Denton Lane.
- Current Development form: The site currently has an 11,250 square foot multi-tenant building with 55 parking spaces. To the east of the site are small lot dwellings. To the south of the site is a large commercial center. To the west of the site is a single tenant one-story building.
- Current Land Uses: To the south and west are commercial uses. To the north is a hotel. To the east are single-family residential dwellings.

Zoning History

- The site was rezoned from R-1 Residential Zone to C-2 Convenience Commercial Zone with conditions in 2014 (Ordinance #12885). Those conditions are as follows: 1) Require a 20-foot type "B" landscape buffer along Denton Road north of curb cut along Denton Lane; 2) Any curb-cut on Igou Gap Road must be approved by the Transportation Department; 3) No auto-oriented uses such as Gas Stations, Service Stations, Convenience Stores, Auto dealerships, Auto Repair/Detailing Shops, Car Washes; and 4) Drive-through is only permitted for a multi-use building along the western side of the property.
- The property to the north is zoned C-2 Convenience Commercial Zone. The property to the east (across Denton Lane) is zoned R-1 Residential Zone. The property to the south (across Igou Gap Road) is zoned C-2 Convenience Commercial Zone. The adjacent property to the west is zoned R-4 Special Zone.

Plans/Policies/Regulations

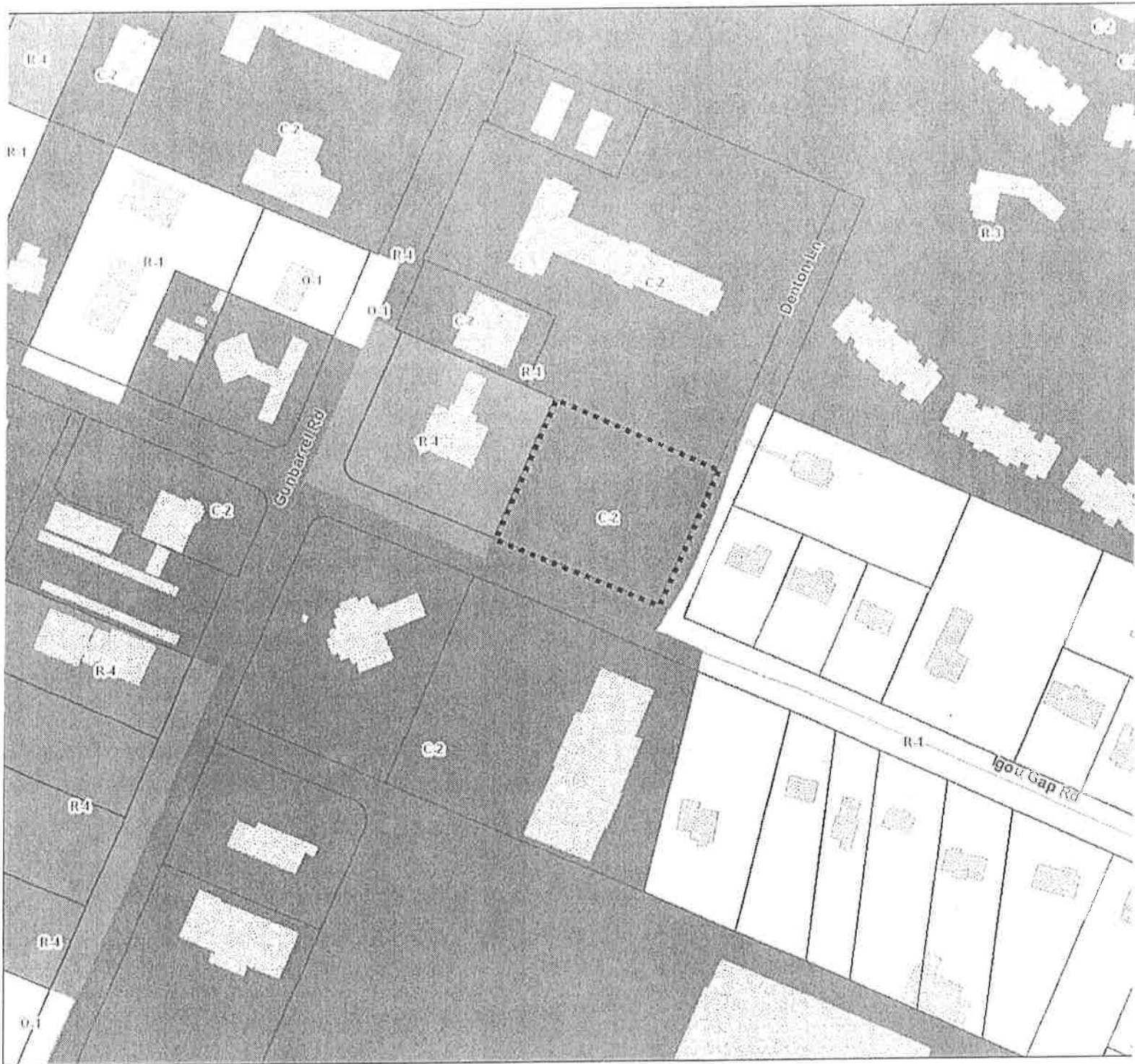
- The Hamilton Place Community Plan (adopted by City Council in 2001) recommended commercial uses as appropriate for the site, but addressing its proximity to residential through limiting the scale and form of the development.

Key Findings

- The proposal is not supported by the Hamilton Place Community Plan (page 22) which recommends "where higher intensity uses abut single-family neighborhoods the landscaping screening and buffering should provide a significant visual barrier".
- The proposal is not compatible with the development form of the area because it reduces the buffer between commercial and residential zones.
- The proposal does raise concerns regarding location, lighting, or height.

Staff Recommendation

Deny.



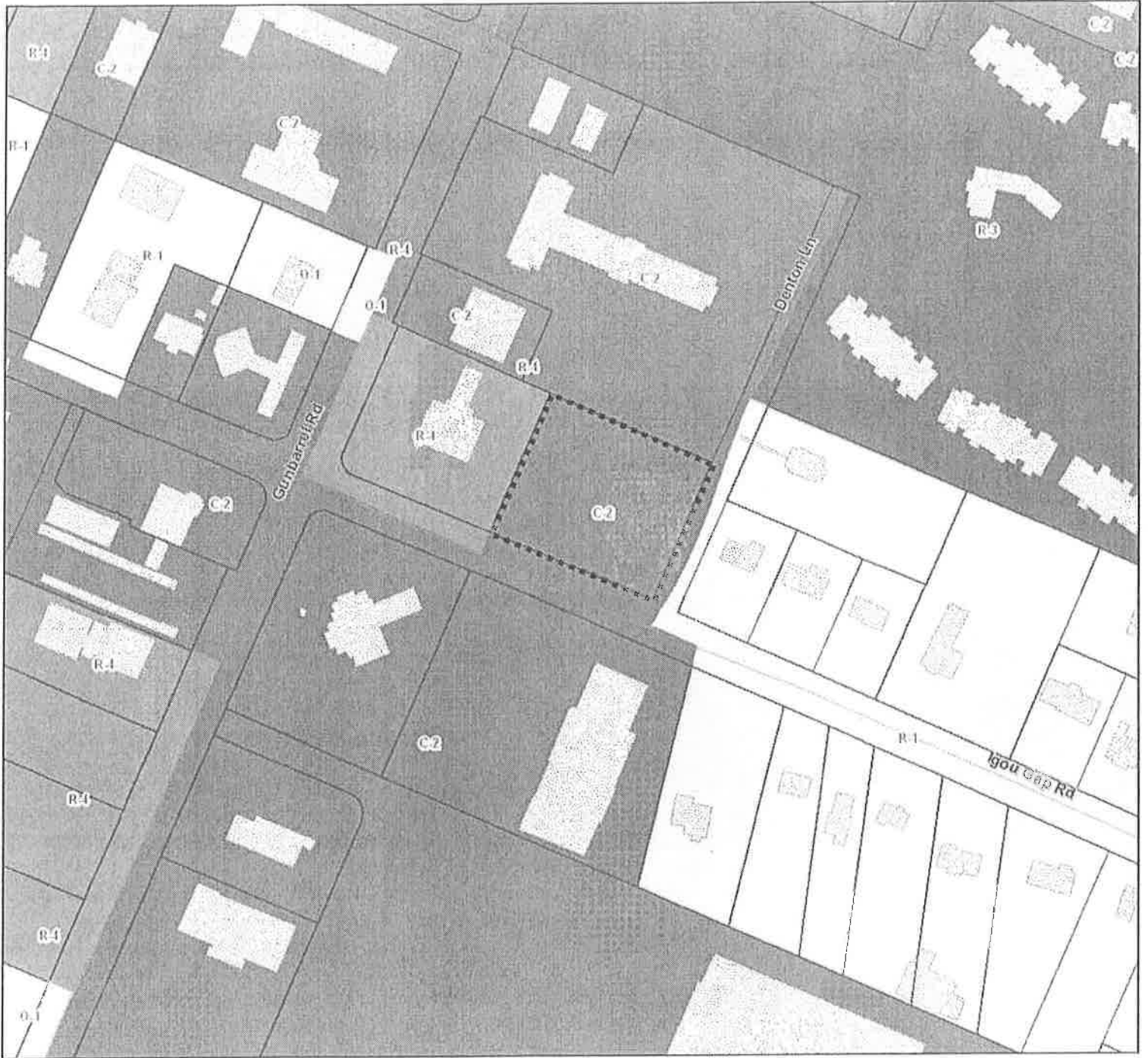
2016-094 Amend Conditions

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-094: Approved reducing the landscape buffer to 10'.



196 ft





2016-094 Amend Conditions



196 ft

Chattanooga Hamilton County Regional Planning Agency

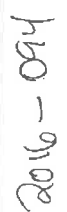


[illegible]

THE SHOPPES
AT GUNBARREL POINTE
FOR
SULLIVAN WICKLEY

[illegible]

13.0



5th Power and Connection Experiment

NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2016-060 Jack Haylett Branch Acquisition Company, LLC/Defoor Brothers, LLC/Tommy Thompson/Winona Sims & Steven Dobbs Family Trust. 2300 to 2500 blocks of Gunbarrel Road, 7325 thru 7342 blocks of McCutcheon Road, 2500 block of Life Style Way, and 2300 thru 2400 blocks of Elam Lane, from MXU Mixed Use Zone and R-1 Residential Zone to C-4 Planned Commerce Center Zone, subject to certain conditions.

2016-084 South Broad, LLC and DEW, LLC. 2600 blocks of Long Street, Broad Street, Cowart Street, and Williams Street and the 200 blocks of West 27th Street and 131 West 27th Street, from R-3 Residential Zone, C-2 Convenience Commercial Zone, and UGC Urban General Commercial Zone to C-3 Central Business Zone, subject to certain conditions.

2016-089 Thomas Austin. 3900 block of Kelly's Ferry Road, from R-1 Residential Zone, R-4 Special Zone, and M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions.

2016-090 John Floyd and David Downer. 5461 Hixson Pike, from O-1 Office Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2016-095 Aaron White and Grant Law. 804 and 901 Riverfront Parkway, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2016-097 City of Chattanooga/Regional Planning Agency. 425, 427 West Bell Avenue, 610, 611 W. Manning Street, 700 block of North Market Street, 600 River Street, 200 Market Street, 418, 422, 424 Georgia Avenue, 1440 Adams Street, and 1511 Jefferson Street.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following condition to amend be approved:

2016-094 Asa Engineering c/o Allen Jones/Brian Sullivan. 7407
Igou Gap Road, to amend Ordinance No. 12885 of Previous Case
No. 2014-0121, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendments be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) **Deleting** Article V, Division 24, Section 38-402(b) in its entirety and substitute in lieu thereof, so as to clarify PUD development plan requirements.
- (b) **Removing** the text “and site area” from the first sentence of Article V, Zone Regulations: Division 26, Planned Unit Development Institutional, Section 38-414.
- (c) **Amending** Article VIII, Section 38-568(12) by adding subsection 38-568(12)(d), relative to the Powers of the Board of Appeals for Variances and Special Permits.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

July 12, 2016

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2016.

Nicole Gwyn
Clerk to the City Council